

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-31027 Temporary ((help—company)) staffing services.** ~~((Sometimes I use temporary help employees which I obtain through a temporary help company. Do I have to report these workers to labor and industries in my basic classification? No, if you obtain temporary help employees from a temporary help company, the temporary help company should report these workers to us and pay the required premiums. Temporary help companies have special classifications assigned to them to report and pay premiums on behalf of their client businesses. These classifications are used only in the temporary help industry and are different from our basic classifications which are assigned to nontemporary help companies. If the temporary help service fails to pay premiums to us, the client company is held responsible for the unpaid premiums of any temporary help employee used by the client company.))~~ **(1) To whom does this rule apply?** This rule applies to any temporary staffing business providing temporary employees to a client customer.

**(2) Who pays the workers' compensation insurance premium for temporary staffing employees?** RCW 51.16.060 requires the temporary staffing service provider to pay the required premiums for temporary employees assigned to a client customer.

**Note:** If the temporary staffing service provider fails to pay the required premium to labor and industries, the client customer is responsible for the unpaid premium.

**(3) How are classifications determined for a temporary staffing business?** We will assign the classification or classifications to your business based on the nature of your business.

**Note:** This process is identical to how classifications are assigned to a nontemporary staffing business.

**(4) Are there special classifications that apply to temporary staffing businesses?** Yes we have created a series of special classifications that only temporary staffing businesses use. They are found in WAC 296-17-757 through 296-17-76213.

**Example:** A temporary staffing business that specializes in providing nurses to medical facilities would be assigned the temporary staffing classification for health care facilities.

**Example:** A temporary staffing business that provides temporary employees to a variety of client customers would be assigned multiple temporary staffing classifications.

**(5) Do other businesses have special classifications?** All businesses have special classifications.

**Example:** A nontemporary service employer engaged

exclusively in plumbing work would have a plumbing classification assigned to their business.

Example: A nontemporary service employer engaged in framing houses, land clearing and roofing would have a classification for framing, one for land clearing and a separate classification for the roof work. This is done because construction work is done by contract and each contract will be different.

(6) Why doesn't labor and industries just use nontemporary staffing classifications for temporary staffing businesses?  
Temporary staffing companies requested labor and industries to create special classifications for their industry. The alternative to special industry classifications would result in temporary staffing business to use the nontemporary staffing classification that their client customer uses. Labor and industries has over three hundred main classifications and twelve hundred subclassifications that employers report in. Requiring temporary staffing companies to use all of these classifications would result in an administrative burden for the temporary staffing businesses. Classifications unique to temporary staffing provide temporary staffing businesses the incentives to improve safety for their employees and control the cost of workers' compensation insurance.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-757 Classification 7104.**

**7104-01 Temporary ((help—company)) staffing services:  
Administrative office((s)) personnel**

This classification applies ((only)) to employees such as, but not limited to, clerical office ((or)), payroll, accounting, human resource managers, data processing, and outside sales personnel of the temporary ((help)) staffing company who work in the administrative or branch offices of a temporary ((help)) staffing company. ((This classification also applies to an employment agency's administrative office when conducted in connection with a temporary help company operation.))

This classification excludes all other employees of a temporary ((help)) staffing company who are assigned to ((a)) work for a client customer((-s)). Temporary staffing employees who are assigned to work in the client customer's administrative or clerical office ((who)) are to be reported separately in classification 7105.

**Note:** This classification also applies to an employment agency's administrative office when conducted in connection with a temporary staffing company operation.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-758 Classification 7105.**

**7105-01 Temporary ((~~help company~~)) staffing services: Office support services**

This classification applies to employees of a temporary ((~~help~~)) staffing company who are assigned on a temporary basis to ((~~its~~)) a client customer((~~s~~)) and who are engaged wholly in office work for ((~~such~~)) the client customer((~~s~~)). This classification includes occupations such as, but not limited to, clerks, typists, receptionists, secretaries, accountants, actuaries, attorneys, bank tellers, bookkeepers, word processors, data entry ((~~and computer~~)) operators, computer programmers, drafters, designers, graphic artists, technical writers, technical illustrators, design engineers, library assistants, telemarketers, dispatchers, prepress work for printers, collating by hand such as in a bindery, and mail clerks who do not operate equipment. Employees subject to this classification are not required to be physically located in ((~~a~~)) the client customer's clerical office. The test is whether they perform clerical office ((~~work~~)) duties as described in ((~~this classification~~)) WAC 296-17-31018(2). Employees who perform clerical office duties described in this classification are not required to be assigned classifications 7106 through 7122. A division of worker hours is not permitted between this classification and any other classification.

**Note:** This classification excludes ((~~mail clerks who operate~~)) temporary staffing employees assigned to a client customer whose duties include operation of equipment such as, but not limited to, mail stuffing and sorting equipment, and collating machines who are to be reported separately in classification 7109-01.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-759 Classification 7106.**

**7106-01 Temporary ((~~help company~~)) staffing services: Retail or wholesale store ((~~services~~)) operations**

This classification applies to employees of a temporary ((~~help~~)) staffing company who are assigned on a temporary basis

to ~~((its))~~ a client customer~~((s))~~ and who are engaged in activities related to a store operation as opposed to a warehouse or repackaging operation. Activities may include a combination of clerical type duties and those that require minimal physical lifting. This classification includes occupations such as, but not limited to, cashiers, stockers, beauticians, gift wrappers, buyers, product demonstrators, booth aids, models, outside sales persons, and inventory takers. This classification excludes employees of a temporary staffing company who are assigned on a temporary basis to a client customer to work in an adjacent storage area such as a lumber or building material yard of a home improvement center or a masonry dealer are to be reported separately in classification 7114.

**Note:** For the purpose~~((s))~~ of this classification, ~~((taking))~~ inventory services covered by this classification is limited to those services provided to a client company when performed in a retail/wholesale store ~~((operations which are performed exclusively at ground level))~~.

~~((This classification excludes))~~ All other inventory employees ~~((who take inventory with the use of ladders, step stools to reach any height, or when the inventory is performed for customers not engaged in store operations, who))~~ are to be reported separately in classification 7114-00 provided they do not operate equipment or machinery.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-760 Classification 7107.**

**7107-01 Temporary ~~((help company))~~ staffing services: Bakery, restaurant, or food sundry preparation ~~((services))~~; musicians or entertainers**

This classification applies to employees of a temporary ~~((help))~~ staffing company who are assigned on a temporary basis to ~~((its))~~ a client customer~~((s))~~ and who are engaged in activities such as, but not limited to, baking, cooking, food preparation, waiting and busing tables, and dishwashing. This classification also ~~((applies to))~~ includes musician and entertainment employees ~~((of a temporary help company who are))~~ assigned on a temporary basis to ~~((its))~~ a client customer~~((s and who are engaged as musicians or entertainers))~~.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-761 Classification 7108.**

**7108-01 Temporary ((help company)) staffing services: Warehouse operations including incidental packaging and repackaging of ((dry goods, retail products, and pharmaceuticals as part of the distribution and preshipping process)) goods**

This classification applies to employees of a temporary ((help)) staffing company who are assigned on a temporary basis to ((its)) a client customer((s and)) who are engaged in ((warehousing or repackaging)) operating a storage or distribution warehouse for dry goods such as, but not limited to, clothing, fabric, yarn((r)) and shoes((r)); or houseware items such as glassware (bowls, vases, bottles), linens((r kitchenware, r)) and china((r)); or books, ((drugs, r)) computer discs, bulk film, cassette tapes, records, and pharmaceutical preparations. Employees assigned to this classification may be involved in incidental repackaging of products described in this classification when they are performed in a storage or distribution warehouse covered by this classification.

**Note:** This classification excludes ((any)) all employees who do assembly ((or)) work; all employees who are involved in freight/material handling of hard goods such as, but not limited to, wood, metal, plate glass, plastic, or masonry products ((which are to be reported separately in classification 7114 provided they do not operate equipment or machinery)); and all employees assigned to a client customer engaged in any manufacturing or processing operation even though the employees' duties are limited to shipping and receiving activities of products covered by this classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-762 Classification 7109.**

**7109-01 Temporary ((help company)) staffing services: Electronic, precision, and scientific equipment assembly; nonfield technician services**

This classification applies to employees of a temporary ((help)) staffing company who are assigned on a temporary basis to ((its)) a client customer((s)) and who are engaged in the assembly of electronic or biomedical equipment or engaged in printing and bindery work and temporary staffing employees

assigned to work in a client company's mail room and who as a part of their duties operate bindery, labeling, mailing or sorting machines. This classification includes, but is not limited to, ((occupations such as)) electronic assemblers, electro-mechanical assemblers, quality control inspectors, test technicians, kit pullers, storekeepers, upholsterers, laboratory technicians, printers, offset operators, lead typesetters, mail clerks who operate equipment, and bindery workers.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76201 Classification 7110.**

**7110-00 Temporary ((help company)) staffing services: Field engineer and field technician services; parking lot attendants, N.O.C.**

This classification applies to employees of a temporary ((help)) staffing company who are assigned on a temporary basis to ((its)) a client customer((s)) and who are engaged in duties away from the customers' premises and who are providing field engineering, field technician services, traffic counters, and surveying services, telephone installation and service within buildings, vending machine service, and to parking lot or garage attendants, weigh scale attendants, and service station attendants (other than mechanics). This classification also includes employees of a temporary staffing company assigned to a client company to wash or detail rental cars, provide lot services such as moving cars or checking rental agreements and drivers who move rental or customer cars from one lot to another.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76202 Classification 7111.**

**7111-00 Temporary ((help company)) staffing services: Health care, medical laboratory, quality control services, testing laboratories, N.O.C.; homemaker services and home health care services**

This classification applies to employees of a temporary ((help)) staffing company who are assigned on a temporary basis

to ~~((its))~~ a client customer(~~((s—and))~~) who are ~~((providing))~~ engaged in health care services. This classification includes employments such as, but not limited to, therapists, nurses, nurses aides, physicians, dental hygienists, laboratory technicians, and assistants who work at a health care facility or at the home of the patient.

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**WAC 296-17-76203 Classification 7112.**

**7112-00 Temporary ~~((help—company))~~ staffing services:  
Agricultural ~~((services))~~ operations**

This classification applies to employees of a temporary ~~((help))~~ staffing company who are assigned on a temporary basis to ~~((its))~~ a client customer(~~((s))~~) and who are engaged in any aspects of agricultural operations such as field crops, livestock, stables, dairies, nurseries, and greenhouses. This classification contemplates all agricultural employments including the operation of power driven farm machinery or equipment.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76204 Classification 7113.**

**7113-00 Temporary ~~((help—company))~~ staffing services:  
Janitorial, plant or facility supplemental maintenance and grounds keeping services**

This classification applies to employees of a temporary ~~((help))~~ staffing company who are assigned on a temporary basis to ~~((its))~~ a client customer(~~((s))~~) and who are engaged in janitorial work, building preoccupancy cleanup, plant or facility maintenance, and/or grounds maintenance work on an existing landscape. Grounds keeping work contemplated by this classification means, but is not limited to, mowing lawns, pruning shrubs, and weeding, as compared to new landscape construction work. This classification includes landscape workers involved exclusively in hand labor work such as raking, digging, using a wheelbarrow to haul soil, beauty bark or decorative rock, whether performed as maintenance of existing

landscape or new landscape work.

This classification excludes employees engaged in cleaning exterior windows, cleaning and removing debris or building material, and construction of new landscapes such as, but not limited to, clearing of land, installation of underground sprinkler systems, moving boulders, who are to be reported separately in classification 7118; and employees engaged in removing trees who are to be reported separately in classification 7121. A division of worker hours is not permitted between this classification and any other classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76205 Classification 7114.**

**7114-00 Temporary (~~help company~~) staffing services: Warehouse operations, N.O.C. including incidental assembly work ((and freight handling, N.O.C.)); inventory takers, N.O.C.**

This classification applies to employees of a temporary ((help)) staffing company who are assigned on a temporary basis to ((its)) a client customer((s and who are engaged in the assembly of wood, metal, plastic, or masonry products during shipping or receiving, and handling freight such as tires, furniture, and other products made of wood, metal, plastic, or masonry products during shipping or receiving. Employees assigned this classification could use small power driven hand tools to assemble goods and nonpowered pallet jacks or hand trucks for handling freight)) who are engaged in warehousing or distribution operations N.O.C. Products may include, but are not limited to, tires, mattresses, furniture, appliances, bricks, lumber, window sashes, bicycles, lawn and garden tools, lawn mowers, canned goods, beverages, pipe and wire. Employees assigned to this classification may do some assembly work such as, but not limited to, putting doors on cabinets and putting pedals, seats and handlebars on bicycles. Assembly work may involve the use of hand held tools to assemble goods. This classification contemplates that temporary staffing employees working in these warehouse operations may use hand trucks, powered and nonpowered pallet jacks and forklifts for freight handling. This classification also applies to employees of a temporary ((help)) staffing company ((who are)) assigned ((on a temporary basis)) to ((its)) a client customer((s who are engaged in taking inventory and who are)) to do inventory work not covered by another classification ((N.O.C.)); and to

employees of a temporary staffing company assigned to work in a client customer's home improvement center, building supply center, masonry store, pipe dealer or similar business's storage yard or warehouse.

This classification excludes all employees (~~who operate power driven equipment or machinery to perform assembly work or freight handling activities who are to be reported separately, without division of hours, in classification 7117~~) assigned to work at a client customer's manufacturing, processing or production plant even though the employees do not operate equipment. A division of worker hours is not permitted between this classification and any other classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76206 Classification 7115.**

**7115-00 Temporary (~~help company~~) staffing services: Cannery, bottling or food processing (~~services~~) operations**

This classification applies all to employees of a temporary (~~help~~) staffing company who are assigned on a temporary basis to (~~its~~) a client customer(~~s~~) and who are engaged in cannery, bottling or food processing operations such as, but not limited to, canning, freezing, or dehydrating, or in packing fresh fruits or vegetables. Cooking or otherwise preparing food prior to processing or packing is included in this classification.

(~~This classification excludes employees engaged in operating or maintaining plant or cannery equipment or machinery who are to be reported separately in classification 7117.~~)

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76207 Classification 7116.**

**7116-00 Temporary (~~help company~~) staffing services: Flagging services by specialty contractor(~~Flagging~~) for public utility line construction**

This classification applies to specialty (nonconstruction) contractors that are providing flagging services on public utility, power, water, or gas line construction projects. This

classification also applies to employees of a temporary ~~((help))~~ staffing company who are assigned to provide flagging services on a temporary basis to a public utility company ~~((to provide flagging services))~~ (nonconstruction contractor) during the construction or extension of overhead or underground power, water, or gas lines.

This classification excludes employees of construction contractors who perform flagging duties who are to be reported separately in the classification applicable to the construction work the construction contractor is performing.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76208 Classification 7117.**

**7117-00 Temporary ~~((help company))~~ staffing services: ~~((Machine operators; skilled craft persons - plant or shop))~~ Manufacturing operations, N.O.C.; specialty trades**

This classification applies to employees of a temporary ~~((help))~~ staffing company who are assigned on a temporary basis to ~~((its))~~ a client customer~~((s and))~~ engaged in a variety of manufacturing and processing operations. This classification includes employees who may operate power driven equipment or machinery such as, but not limited to, forklifts, table saws, drill presses, industrial packaging and processing equipment or machinery~~((, or who are assigned to work in the customer's plant or shop))~~ N.O.C. This classification ~~((also applies to skilled craftpersons such as))~~ includes occupations such as, but not limited to, machinists, mechanics, welders, tool and die makers, ~~((carpenters,))~~ cabinet makers, ~~((and to))~~ painters, and fabricators. This classification also includes employees of a temporary ~~((help))~~ staffing company who work in the specialty trades of plumbing, electrical wiring, or sheet metal work either at a plant or a construction site. Businesses or industries contemplated by this classification include, but are not limited to, cabinet shops, wood products manufacturers, plastic goods manufacturers, fiberglass goods manufacturers, glass manufacturers, foundries, metal goods manufacturers, brick, cement or masonry products manufacturers; lumber remanufacturers, ~~((canneries,))~~ amusement parks, sign painting shops, ~~((printing shops,))~~ and laundries, but does not apply to shake or shingle mills.

This classification excludes all employees of a temporary ~~((help))~~ staffing company ~~((who))~~ assigned to work for a client customer at a construction site~~((s performing duties other than~~

~~those of)) except the specialty trades ((who are to be reported separately, without a division of hours, in classification 7118;)) described above. This classification also excludes employees of a temporary ((help)) staffing company who are assigned to work in maritime trades subject to Washington workers' compensation laws who are to be reported separately in classification 7120; and employees ((of a temporary help company who are)) assigned to do plant maintenance work in a customer's plant who are to be reported separately in classification 7113.~~

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76209 Classification 7118.**

**7118-00 Temporary ((help company)) staffing services: Flagging services by specialty nonconstruction contractor, N.O.C.; construction employments, N.O.C.**

This classification applies to specialty nonconstruction contractors that are providing flagging services ((which are)) not covered in classification 7116. This classification also applies to employees of a temporary ((help)) staffing company assigned on a temporary basis to ((its)) a client customer((s)) and who are engaged in any aspect of construction work such as, but not limited to, road construction, new landscape work, N.O.C., nonagricultural tree topping and nonagricultural tree pruning, underground or overhead utility lines, fence erection, metal erection((r)) and installation of signs or lighting((r including)). This classification further includes the operation of equipment, machinery, and tools by ((those)) temporary staffing employees covered by this classification, and to temporary staffing employees assigned to perform security ((personnel)) and ((flaggers)) flagging services for a client customer who are not covered by another classification((r (N.O.C.))).

This classification ((excludes)) does not apply to employees of construction contractors who ((perform flagging duties who)) are to be reported separately in the classification applicable to the construction work the construction contractor is performing ((and)); employees of a temporary staffing company who are assigned to a client customer engaged in tree removal services who are to be reported separately in classification 7121; or to employees of a temporary ((help)) staffing company who are working in the specialty trades of plumbing, electrical wiring, or sheet metal work for a client customer who are to be reported separately in classification 7117.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76210 Classification 7119.**

**7119-00 Temporary ((~~help~~—company)) staffing services: Commercial vehicle operations, N.O.C.; sawmill operations**

This classification applies to employees of a temporary ((~~help~~)) staffing company who are assigned on a temporary basis to ((~~its~~)) a client customer((~~s~~)) and who are engaged in commercial vehicle operations such as, but not limited to, driving truck for a moving or storage company, driving garbage collection trucks, driving pilot cars, driving delivery vehicles, driving buses or driving taxis. This classification also applies to employees of a temporary ((~~help~~)) staffing company who are assigned on a temporary basis to ((~~its~~)) a client customer((~~s~~)) and who are engaged in any aspect of sawmill work such as, but not limited to, operating machinery, grading lumber, or sorting and stacking lumber.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76211 Classification 7120.**

**7120-00 Temporary ((~~help~~—company)) staffing services: Hazardous waste handling; maritime employments**

This classification applies to all employees N.O.C., of a temporary ((~~help~~)) staffing company who are assigned on a temporary basis to ((~~its~~)) a client customer((~~s~~)) and who are engaged in hazardous waste handling operations. This classification also applies to all employees N.O.C., of a temporary ((~~help~~)) staffing company who are assigned on a temporary basis to ((~~its~~)) a client customer((~~s~~)) and who are engaged in maritime ((~~employments~~)) operations subject to Washington workers' compensation laws, including diving or subaqueous work.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

**WAC 296-17-76212 Classification 7121.**

**7121-00 Temporary (~~(help—company)~~) staffing services:  
Logging(~~(7)~~); tree removal service; stump grinding services;  
shake or shingle mills; aircraft flight crew members**

This classification applies to all employees of a temporary (~~(help)~~) staffing company who are assigned on a temporary basis to (~~(its)~~) a client customer(~~(s)~~) and who are engaged in any phase of logging or aircraft operations or who are assigned to work in any lumbering mill, including equipment or machinery operators related to industries subject to this classification.

NEW SECTION

**WAC 296-17-76213 Classification 7122.**

**7122-00 Temporary staffing services: Laborers and nonmachine operators, N.O.C., for manufacturing and processing operations**

This classification applies to employees of a temporary staffing company who are assigned on a temporary basis to a client customer and who are engaged as a laborer or nonmachine operator of manufacturing and processing operations. Businesses or industries contemplated by this classification include, but are not limited to, cabinet shops, wood products manufacturers, plastic goods manufacturers, fiberglass goods manufacturers, glass manufacturers, foundries, metal goods manufacturers, brick, cement or masonry products manufacturers; lumber remanufacturers, amusement parks, sign painting shops, and laundries, but does not apply to shake or shingle mills.

This classification excludes all employees of a temporary staffing company assigned to work for a client customer at a construction site or in any phase of construction. This classification also excludes employees of a temporary staffing company assigned to work for a client customer performing work as a machine operator or skilled craftsman for manufacturing and processing operations who are to be reported separately in classification 7117.